



US Army Corps
of Engineers®

Seattle District

Public Notice

Planning Branch
P.O. Box 3755
Seattle, WA 98124-3755
ATTN: Layna Goodman (PM-PL)

Public Notice Date: January 14, 2005
Expiration Date: February 13, 2005
Reference: CENWS-PL-05-02
Name: Carpenter Creek Estuary Section 206
Estuarine Habitat Restoration

30-DAY PUBLIC NOTICE

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) and Kitsap County plan to replace two undersized culverts with bridges in order to restore full tidal hydrology to approximately 33 acres of subtidal and intertidal habitat in the Carpenter Creek estuary. The proposed project is described below and shown on the enclosed drawings. The purpose of this Public Notice is to solicit comments from interested persons, groups, and agencies.

LOCATION

The project is located in Kingston, Kitsap County, Washington (T27N, R02E, Sections 26 and 35). Appletree Cove, a small Puget Sound embayment along the northeastern shore of the Kitsap Peninsula, is adjacent to the project site. The bridges will be constructed at crossings of South Kingston Road and West Kingston Road.

PURPOSE AND PROJECT OBJECTIVE

Restoration is needed because undersized culverts through the two road embankments restrict the volume of tidal waters entering the estuary. These hydrologic restrictions have dampened tidal heights and caused a reduction in the area inundated. As a result of these culverts, the depth, frequency, and duration of tidal inundation is insufficient to maintain salt marsh habitat in the upper lobe of the estuary. High velocities through the road embankments limit fish passage and have created large, deep scour holes adjacent to the culverts. The culverts have also limited sediment transport, which has resulted in shoaling and a reduction in the number of tidal channels within the estuary.

The objectives of the proposed project are: (1) to restore natural tidal hydrologic processes in the estuary, thereby preventing further loss of salt marsh habitat; (2) to remove fish passage barriers (a high-velocity culvert and a perched culvert); (3) to reduce sediment scour and deposition problems; and (4) to reclaim some historic intertidal habitat by removing an abandoned road bed.

Additional information about the project can be found in the *Carpenter Creek Estuary Section 206 Restoration Project Draft Integrated Feasibility Report and Environmental Assessment*, which is available on the Seattle District web site at: <http://www.nws.usace.army.mil/ers/envirdocs.html>. Copies may also be obtained through contacting

staff listed at the end of this notice.

AUTHORITY

Section 206 of the Water Resources Development Act of 1996 (Public Law 104-303, as amended) allows the Corps of Engineers to carry out habitat restoration and protection projects. Kitsap County is the non-Federal sponsor for this project. Partial funding for their 35% cost share will come from a Salmon Recovery Funding Board grant.

PROPOSED PROJECT

The project consists of five restoration measures: (1) replacement of the 10 x 10 foot box culvert at South Kingston Road with a single span bridge 95 feet in length; (2) replacement of the 5 foot diameter culvert at West Kingston Road with a single span bridge 60 feet in length; (3) filling of scour holes adjacent to South Kingston road with approximately 2,655 cubic yards of imported material; (4) excavation of approximately 1,300 cubic yards of material along an abandoned road embankment adjacent to West Kingston road; and (5) planting of native riparian and salt marsh species in areas disturbed by construction.

Implementation of the proposed action would be phased due to funding limitations. Construction of the South Kingston Road bridge would likely occur during the summer of 2006. Funding for Kitsap County's 35% cost share for the West Kingston Road bridge has not yet been secured. Construction of the West Kingston Road bridge would occur once funding is obtained; summer 2007 would be the earliest likely construction date for West Kingston Road.

Construction of the South Kingston Road bridge would take 16 weeks, but one lane of traffic would remain open at all times. During construction of the West Kingston Road bridge, the road would be closed entirely for 8 weeks. Both bridges would be slightly wider than the current roads, but no new lanes would be added.

MITIGATION

The project is considered self-mitigating.

ENDANGERED SPECIES

The Endangered Species Act of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The U.S. Fish and Wildlife Service (USFWS) and National Oceanographic and Atmospheric Administration (NOAA-Fisheries) identified several Federally listed species which may occur in the project vicinity. Included on this list were seven species: Coastal/Puget Sound bull trout (*Salvelinus confluentus*), bald eagle (*Haliaeetus leucocephalus*), marbled murrelet (*Brachyramphus marmoratus marmoratus*), Puget Sound chinook salmon (*Oncorhynchus tshawytscha*), Steller sea lion (*Eumetopias jubatus*), humpback whale (*Megaptera novaeangliae*), and leatherback sea turtle (*Dermochelys coriacea*). One species recently proposed for federal listing as a threatened species, the orca (*Orcinus orca*), has also been identified.

In accordance with Section 7(a)(2) of the Endangered Species Act of 1973, as amended, federally funded, constructed, permitted, or licensed projects must take into consideration impacts to federally listed and proposed threatened or endangered

species. The U.S. Army Corps of Engineers is currently evaluating potential impacts of the proposed action to the listed species through the preparation of a Biological Assessment to be submitted to the U.S. Fish and Wildlife Service and the NOAA Fisheries Service. A preliminary determination has been made that the proposed work may affect, but is not likely to adversely affect threatened or endangered species or their designated critical habitat.

CULTURAL AND HISTORIC RESOURCES

The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

There are no recorded historic properties within the project area. A Corps archaeologist is conducting an historic properties investigation within the project area. No sites determined eligible for or listed on the national Register of Historic Places have been found to date within the permit area.

The District Engineer invites responses to this Public Notice from Federal, State and local agencies, historical and archeological societies, Indian Tribes and other parties likely to have knowledge of or concerns with historic properties in the area.

PUBLIC HEARING

Any person may request, in writing and within the comment period specified in this notice, that a public hearing be held to consider this proposal. Requests for public hearings shall state, with particularity, the reason for holding a public hearing.

EVALUATION

The decision whether to perform the proposed work will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers, Seattle District is soliciting comments from the public; Native American Nations; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to modify, condition, or not proceed with the proposed work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest

factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The evaluation of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

ADDITIONAL EVALUATION

The State of Washington will review this work for consistency with the approved Washington Coastal Zone Management Program. A coastal zone consistency statement has been prepared and submitted to the Department of Ecology. A preliminary determination has been made that the proposed restoration project is consistent to the maximum extent practicable with the enforceable policies of the State of Washington Coastal Zone Management Program.

A Section 401 water quality certification is requested from the State of Washington.

Pursuant to the National Environmental Policy Act, a draft Environmental Assessment has been prepared. A preliminary determination has been made that the proposed restoration work will not significantly affect the quality of the human environment and, therefore, an Environmental Impact Statement is not required. This determination is detailed in a draft Finding of No Significant Impact (FONSI). The draft FONSI and the *Carpenter Creek Estuary Section 206 Restoration Project Draft Integrated Feasibility Report and Environmental Assessment* are available on the Seattle District web site at: <http://www.nws.usace.army.mil/ers/envirdocs.html>. Copies of these documents may also be obtained through contacting staff listed at the end of this notice.

COMMENT AND REVIEW PERIOD

Comments on these factors will be accepted, made part of the record, and will be considered in determining whether it would be in the best public interest to proceed with the proposed project. Comments should reach this office, **Attn: Planning Branch**, not later than the expiration date of this public notice to ensure consideration.

Requests for additional information should be directed to Ms. Layna Goodman, Project Manager, at (206) 764-5523 or Ms. Torrey Luiting, Environmental Coordinator, at (206) 764-4476.

Encl
Drawings (5)



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: January 14, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. CENWS-PL-05-02 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600